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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 Jessica Lynn Huth,

12 Plaintiff,

13 v.

14 Mary Allyson Parham, an individual; United
15 States; Department of the Air Force; Nellis
Air Force Base; Does I through X, inclusive;
16 Roe Corporations I through V, inclusive,
17 Defendants.

Case No. 2:21-cv-00966-JAD-DJA

**Motion for Extension of Time
(First Request)**

18 The above-named Federal Defendants move for a 30-day extension of time, from
19 July 12, 2021, to August 11, 2021, in which to hold the Rule 26(f) conference and submit a
20 proposed discovery plan and scheduling order. This is the first request for such an
21 extension of time.

22 **Points and Authorities**

23 Federal Rule of Civil Procedure 6(b)(1) and Local Rule IA 6-1 allow a party to
24 request additional time to perform an act.

25 Local Rule 26-1 provides that a plaintiff should initiate the scheduling of the Rule
26 26(f) conference within 30 days of a defendant's appearance. LR 26-1(a). Within 14 days of
27 the Rule 26(f) conference, the parties should file a discovery plan and scheduling order. *Id.*
28

1 Federal Defendants made their appearance on May 27, 2021, when they filed a
2 Motion to Dismiss (ECF No. 3), making several arguments based in the Federal Tort
3 Claims Act, 28 U.S.C. §§ 1346(b)(1), 1402(b), 2401(b), 2402, 2671-2680 ("FTCA"). Absent
4 an extension, a joint discovery plan scheduling order would be due July 12, 2021.

5 On June 17, 2021, defense counsel emailed plaintiff's counsel about holding a Rule
6 26(f) conference, as well as about a joint status report concerning removal of the action from
7 state court. Defense counsel heard back from the law office representing plaintiff as to the
8 joint status report but not as to holding a Rule 26(f) conference.

9 On July 12, 2021, defense counsel emailed plaintiff's counsel about an extension to
10 hold the Rule 26(f) conference and submit a discovery plan and scheduling order. Defense
11 counsel received an automatic reply indicating plaintiff's counsel was out of the office until
12 July 13, 2021.

13 Based on these circumstances, Federal Defendants respectfully request a 30-day
14 extension, from July 12, 2021, to August 11, 2021, in which to hold the Rule 26(f)
15 conference and submit a proposed discovery plan and scheduling order.

16 Respectfully submitted this 12th day of July 2021.

17 CHRISTOPHER CHIOU
18 Acting United States Attorney

19 /s/ Patrick A. Rose
20 PATRICK A. ROSE
21 Assistant United States Attorney

22 IT IS SO ORDERED:

23 
24 UNITED STATES MAGISTRATE JUDGE

25 DATED: July 13, 2021
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